

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF

COURT CASE NUMBER

DEFENDANT

TYPE OF PROCESS

SERVE

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZURE OR CONDEMN



ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

AT

111 Main Street, East Side Sub. Somerville, MA 01844

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Dwight S. Smith
111 Main Street
Somerville, MA 01844

Number of process to be served with this Form - 285

20

Number of parties to be served in this case

3

Check for service on U.S.A.

3

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):
FoldHandwritten notes: "Handwritten notes attached and order for attachment up to
111 Main Street, Somerville, MA 01844. Estimated time of service 3/29/05.
Call 617-723-1505 for general information. And we
will not be home until 3/29/05. No Parole or Probation.

Fold

Signature of Attorney or other Originator requesting service on behalf of:

 PLAINTIFF
 DEFENDANT

TELEPHONE NUMBER

DATE

975 422-9923

3/29/05

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
	1	No. 38	No. 38	George Newman	3/29/05

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below. I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

George Newman Assistant D.A.

Address (complete only if different than shown above)

 A person of suitable age and discretion then residing in the defendant's usual place of abode.

Date of Service 07/09/05 Time 1300 pm

Signature of U.S. Marshal or Deputy

Service Fee 45.00	Total Mileage Charges (including endeavors) 13.14	Forwarding Fee —	Total Charges 58.14	Advance Deposits	Amount owed to U.S. Marshal or Refund
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REMARKS: 14

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELVANO GALLI

Plaintiff,)
v.)
F/V BARBARA ANN (O.N. 699442))
her engines, boilers, tackle,)
fishing permits and appurtenances,)
in rem)
and Louis Pasquale, *in personam*,)
Defendant.)

C.A. No. 04CV11544 JLT

WRIT OF ATTACHMENT

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

To the Marshal of the District of Massachusetts or its deputies:

GREETINGS:

WHEREAS a complaint has been filed on July 12, 2004 in the United States District Court for the District of Massachusetts by Plaintiff Elvano Galli of 2442 Brigham Street, Brooklyn, New York whose attorney is David S. Smith of Cianciulli & Ouellette 163 Cabot Street, Beverly, Massachusetts 01915 upon an admiralty and maritime claim and that the Defendant is Louis Pasquale of Grove Street, Gloucester, Massachusetts who is currently being held by the Essex County Correctional Facility in Middleton, Massachusetts;

NOW, THEREFORE, we do hereby command and strictly charge you, the said U.S. Marshal, to attach the Defendant, Louis Pasquale's moneys, to wit: all monies belonging to the Defendant in the amount of \$15,531.00 in cash and \$1,505.00 in casino gambling chips in the possession of Jonathan W. Blodgett, Essex County District Attorney Museum Place, 2 East Idia Sq., Salem, Massachusetts 01970 and the Danvers Police Department as agent of Jonathan W. Blodgett, 120 Ash Street, Danvers, Massachusetts in said District until such time as the merits of the matter captioned *Com. of Mass. by the District Atty for the Eastern Dist. v. Fifteen Thousand Five Hundred Thirty One Dollars, et. al.*, Essex County Civil Action No.: 04-1646F, that you promptly, after execution of this process, file the same in this Court with your return hereon.

I hereby certify on March 29, 2005 that the foregoing document is true and correct copy of the approved on March 24, 2005 by Judge Thornton in the amount of \$17,031.00 in the captioned case Joseph L. Tauro, Judge on the 29th day of March, 2005.

electronically filed in my office on 3/29/05

electronically filed original filed on 3/29/05

original filed in my office on 3/29/05

Witness: Sarah A. Thornton, Clerk, U.S. District Court, District of Massachusetts

By: Deputy Clerk, CLERK

By: Lita L. Lovett, Deputy Clerk

HEREBY ATTEST AND CERTIFY ON 3/29/05
THAT THE FOREGOING DOCUMENT IS FULL, TRUE
AND CORRECT COPY OF THE ORIGINAL ON FILE
IN MY OFFICE AND IN MY LEGAL CUSTODY.

CLERK, U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BY: 25



**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ELVANO GALLI)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04CV11544 JLT
)	
F/V BARBARA ANN (O.N. 699442))	
her engines, boilers, tackle,)	
fishing permits and appurtenances,)	
<i>in rem</i>)	
)	
and Louis Pasquale, <i>in personam</i> ,)	
Defendant.)	

WRIT OF ATTACHMENT

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

To the Marshal of the District of Massachusetts or its deputies:

GREETINGS:

WHEREAS a complaint has been filed on July 12, 2004 in the United States District Court for the District of Massachusetts by Plaintiff Elvano Galli of 2442 Brigham Street, Brooklyn, New York whose attorney is David S. Smith of Cianciulli & Ouellette 163 Cabot Street, Beverly, Massachusetts 01915 upon an admiralty and maritime claim and that the Defendant is Louis Pasquale of Grove Street, Gloucester, Massachusetts who is currently being held by the Essex County Correctional Facility in Middleton, Massachusetts;

NOW, THEREFORE, we do hereby command and strictly charge you, the said U.S. Marshal, to attach the Defendant, Louis Pasquale's moneys, to wit: all monies belonging to the Defendant in the amount of \$15,531.00 in cash and \$1,505.00 in casino gambling chips in the possession of Jonathan W. Blodgett, Essex County District Attorney Museum Place, 2 East Idia Sq., Salem, Massachusetts 01970 and the Danvers Police Department as agent of Jonathan W. Blodgett, 120 Ash Street, Danvers, Massachusetts in said District until such time as the merits of the matter captioned *Com. of Mass. by the District Atty for the Eastern Dist. v. Fifteen Thousand Five Hundred Thirty One Dollars, et. al.*, Essex County Civil Action No.: 04-1646F, that you promptly, after execution of this process, file the same in this Court with your return thereon.

I hereby certify on that the ~~foregoing document is true and correct copy to the~~ This attachment copy to the approved on March 24, 2005 by Judge Tauro in the amount of \$17,031.00 in the captioned case of original filed on original filed in my office on

Witness: Joseph L. Tauro, Judge on the 29th day of March, 2005.

Sarah A. Thornton
Clerk, U.S. District Court
District of Massachusetts

By: _____, CLERK
Deputy Clerk
By: Lita Lourie
Deputy Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ELVANO GALLI,

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Plaintiff,

v.

Civil Action No. 04-11544-JLT

F/V BARBARA ANN (O.N. 699442)
her engines, boilers, tackle, fishing
permits and appurtenances, *in rem*
and LOUIS PASQUALE, *in personam*,

Defendants.

ORDER

March 24, 2005

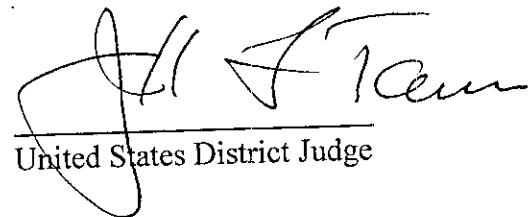
TAURO, J.

This court hereby orders that:

1. Plaintiff's Request for 55(a) Default [#12] is ALLOWED as to the *in rem* action, and DENIED as to the *in personam* action;
2. Defendant's Motion for Extension of Time to Answer [#15] is ALLOWED as to the *in personam* action, and Defendant may respond to the complaint by April 20, 2005. The Motion is DENIED as to the *in rem* action; and
3. Plaintiff's Motion to Arrest and for an Order for Issuance of Process of Attachment for All Monies and Casino Chips Held by the Danvers Police Department and Essex County District Attorney as Evidence in a Criminal

Proceeding and All Monies Held as Bail by the Essex County Sheriff's
Department for Louis Pasquale [#14] is ALLOWED pending resolution on the
merits.

IT IS SO ORDERED.


United States District Judge



WHEREBY ATTEST AND CERTIFY ON 3/29/05
THAT THE FOREGOING DOCUMENT IS A FULL, TRUE
AND CORRECT COPY OF THE ORIGINAL ON FILE
IN MY OFFICE AND IN MY LEGAL CUSTODY.

CLERK, U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BY: 